

REMARKS

Claims 1-7 are pending in the application. The Examiner has rejected Claims 1-4 under 35 U.S.C. §102(e) as being anticipated by Akahane (U.S. Patent 6,226,533). The Examiner has rejected Claims 5-7 under 35 U.S.C. §103(a) as being unpatentable over Wagner et al. (U.S. Patent 6,169,911) in view of Greco et al. (U.S. Patent 5,568,540).

As the Examiner has not acknowledged the filing of the certified copy of the Korean Application in this case, it is respectfully requested that the Examiner formally acknowledge its receipt.

With respect to independent Claim 1, the Examiner maintains that Akahane teaches all of the elements recited in the claim. The Examiner states that the claim amendments filed in the prior Response do not overcome the reference. The Examiner proceeds to state that Akahane discloses storage related information stored in the mobile telephone, and we believe then incorrectly concludes that the calculations of Akahane are based on the amount of memory required to store the voice message and the storage-related information. At col. 5, lines 36-38 of Akahane states, "...the message memory capacity remaining (which is of course directly proportional to the message duration remaining for use by a user)..." This statement by Akahane is a clear indication that the memory remaining calculation does not consider the storage related information as recited in Claim 1 of the present application. Based on at least the foregoing argument, withdrawal of the rejection of Claim 1 is respectfully requested.

With respect to independent Claim 5, the Examiner maintains that Wagner et al. in view of Greco et al. teaches the elements recited in the claim. The Examiner does state that the argument presented in the prior Response may overcome the references, but Claim 5 did not include the particular element argued as the distinction. The Examiner recommended an amendment to Claim 5 that would be considered. Claim 5 has been amended to include this recommended element. Based on at least the foregoing argument and amendment, withdrawal of the rejection of Claim 5 is respectfully requested.

Further, it is respectfully submitted that Claims 1 and 5 are in condition for allowance. Without conceding the patentability per se of dependent Claims 2-4 and 6-7, they are likewise believed to be allowable by virtue of their dependence on Claims 1 and 5, respectively.

Accordingly, reconsideration and withdrawal of the rejections and objections of dependent Claims 2-4 and 6-7 are respectfully requested.

Applicant submits that pending Claims 1-7 are believed to be in condition for allowance. Allowance is respectfully requested. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,



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